

stitute for House bill No. 566, (the deficiency bill) and asks for a free conference committee to consider the disagreements arising between the two houses on said bill, and appoints on such committee for the House, Messrs. Baker, Wurzbach, Upton, Peacock and Merritt.

That the House refuses to concur in Senate amendments to House bill No. 91, "An act to authorize the refunding of moneys paid into the General Land Office, under the provisions of 'an act to authorize the location, sale and settlement of the Mississippi and Pacific Railroad reserve,' passed August 26, 1856, and the provisions of a supplemental act entitled 'an act supplemental to an act to authorize the location, sale and settlement of the Mississippi and Pacific Railroad reserve,' approved November 28, 1857, in all cases wherein the State failed to patent the lands for which such moneys were paid, and to make an appropriation therefor."

And that it has passed:

Senate joint resolution No. 27, proposing to amend section 24, article 3, of the Constitution of the State of Texas.

Also, House joint resolution No. 15, "instructing our Senators and requesting our Representatives in Congress to procure the passage of a joint resolution by the Congress of the United States authorizing the Secretary of War to loan to the Adjutant-General of the State of Texas, on his requisition, such camp and garrison equipage as may be needed by the State troops of Texas at their annual encampment."

Senator Terrell, by leave, introduced a bill entitled "An act to give immediate effect to an act entitled 'an act granting a land certificate of 1280 acres to each of the surviving soldiers of the Texas revolution and the signers of the declaration of Texas independence, and to the surviving widows of such soldiers and signers, and to the widows of those who fell at the Dawson massacre, and to repeal an act approved April 26, 1879, and approved March 15, 1881.'" Referred to Judiciary Committee No. 1.

Senator Wynne, being next on the roll, called up Senate bill No. 285, "An act to amend article 3466, title 69, chapter 1, of the Revised Civil Statutes of the State of Texas, passed by the Sixteenth Legislature of the State of Texas." Bill taken up, read second time and ordered engrossed.

On motion of Senator Wynne, the rules were suspended to place the bill on its third reading by the following vote:

YEAS—23.

Buchanan of Grimes	Hightower,	Ross,
Buchanan of Wood,	Homan,	Shannon,
Burges,	Lair,	Stewart,
Burton,	Lightfoot,	Swain,
Cooper,	Martin of Navarro,	Terrell,
Davenport,	Patton,	Weatherred,
Gooch,	Powers,	Wynne.
Harris,	Rainey,	

NAYS—none.

NOT VOTING—2.

Houston, Martin of Cooke,  
Bill read third time and passed.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 22, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 290, have had the same under consideration, and I am instructed to report the same back with the recommendation that it do pass. The object of the bill is to provide for the protection of the university lands in suits pending in Hill and McLennan counties involving their title.

TERRELL, Chairman.

Bill read first time.

Senator Burges moved to call up Senate substitute for House bill No. 566 (the deficiency bill). Adopted, and bill taken up.

Senator Houston moved that a committee of five be appointed to represent the Senate in the free conference committee on the disagreements of the two houses on said deficiency bill. Adopted.

The President appointed on said committee Senators Terrell, Buchanan of Wood, Buchanan of Grimes, Houston and Shannon.

When Senator Burton's name was reached he called up Senate bill No. 219, entitled "An act to amend articles 319, and 321 of the Penal Code of Texas, so as to restrict the cases in which certain deadly weapons are permitted to be carried, to the ordinary army or navy size revolver, carried outside of all clothing, and fully exposed to view," which was taken up and read second time.

Senator Homan moved a call of the Senate on the pending bill. Call sustained.

Roll called; absent, Senators Martin of Cooke and Terrell.

On motion of Senator Homan, the call was suspended.

Senator Homan moved to lay the bill on the table, subject to call. Adopted.

A message was received from the Governor. (It will be read and will appear to-morrow.)

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 22, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have carefully examined Senate bill No. 289, "An act to change the times of holding the district courts in the Twenty-ninth Judicial District of the State of Texas," and find same correctly engrossed.

BUCHANAN of Grimes, Chairman.

Senator Gooch moved to call up House bill No. 91, just reported from the House, the House refusing to concur in Senate amendments to the same. Adopted, and bill taken up.

On motion of Senator Gooch, the Senate refused to recede from its amendments to said bill, and a free conference committee was ordered.

The President appointed on said committee Senators Gooch, Cooper, Homan, Patton and Lightfoot.

On motion of Senator Cooper, the Senate adjourned until 9:30 A. M. to-morrow.

## SIXTY-FIRST DAY.

SENATE CHAMBER, }  
AUSTIN, March 23, 1881. }

Senate met pursuant to adjournment.

Roll called; quorum present.

Prayer by the Chaplain.

The President in the chair.

On motion of Senator Martin of Navarro, the reading of the journal of yesterday was dispensed with, and the same adopted.

On motion of Senator Martin of Navarro, Senator Stewart was excused for the day on important business.

On motion of Senator Rainey, Captain Swindells, the Calendar Clerk, was excused on account of sickness in his family.

Senator Lightfoot introduced a Senate joint resolution, granting to Hon. W. S. Moore permission to absent himself from Lamar county during July and August, 1881. Referred to Committee on State Affairs.

Senator Shannon, Chairman of Committee on Internal Improvements, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Internal Improvements, to whom was

referred Senate bill No. 292, to be entitled "An act to provide for the investment of the sinking fund set aside for payment of the principal of subsidy bonds issued by cities, counties and towns, to aid in the construction of railroads," have considered the same, and I am instructed to report it back to the Senate and recommend its passage.

SHANNON, Chairman.

Bill read first time.

Senator Martin of Navarro, introduced a bill entitled "An act for holding a special term of the district court in the county of Freestone, for the trial in criminal causes, and for such other business of a criminal nature as may be lawfully considered in the district court. Referred to Judiciary Committee No. 1.

A message was received from the House announcing the passage by that body of House bill No. 495, "An act to authorize and require the issue of patents to lands situated between the Rio Grande and Nueces rivers, the titles to which have been confirmed under the act of February 11, 1860."

Senate bill No. 10, "An act to prescribe the requisites of indictments in certain cases," with amendments.

Senate bill No. 17, "An act making the office of county surveyor an office of record," with amendments.

Also, that Messrs. Denman, Granbury, McComb, Mobley and Bruce of Johnson have been appointed as a committee on the part of the House, to consider the disagreement of the two houses upon Senate amendment to House bill No. 91.

Senator Terrell, Chairman of Judiciary Committee No. 1, by leave, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 293, entitled "An act for holding a special term of the district court in the County of Freestone for the trial of criminal causes, and for such other business of a criminal nature as may be lawfully considered in the district court," have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass.

TERRELL, Chairman.

Bill read first time.

Senator Martin of Navarro, by unanimous consent, called up Senate bill No. 293, just reported by Judiciary Committee No. 1.

Bill taken up.

On motion of Senator Martin of Navarro, rules were suspended, to place the bill on its second reading, by the following vote:

YEAS—21.

Buchanan of Wood,	Houston,	Rainey,
Burges,	Lair,	Ross,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Swain,
Davenport,	Martin of Navarro,	Terrell,
Harris,	Moore,	Weatherred,
Hightower,	Powers,	Wynne.

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes,	Homan,	Patton.
Gooch,		

Bill read second time, and ordered engrossed.

On motion of Senator Martin of Navarro, rules were suspended to place bill on its third reading, by the following vote:

YEAS—21.

Buchanan of Wood,	Homan,	Rainey,
Burges,	Lair,	Ross,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Swain,
Davenport,	Martin of Navarro,	Terrell,
Harris,	Moore,	Weatherred,
Hightower,	Powers,	Wynne.

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes,	Houston,	Patton.
Gooch,		

Bill read third time, and passed by the following vote:

YEAS—22.

Buchanan of Wood,	Homan,	Rainey,
Burges,	Lair,	Ross,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Swain,
Davenport,	Martin of Navarro,	Terrell,
Gooch,	Moore,	Weatherred,
Harris,	Powers,	Wynne.
Hightower,		

NAYS—none.

NOT VOTING—3.

Buchanan of Grimes,	Houston,	Patton.
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Senator Homan moved to take up Senate bill No. 10, just reported from the House, being "An act to prescribe the requisites of indictments in certain cases." Adopted, and bill taken up by unanimous consent.

Senator Homan moved that the Senate concur in House amendments. The motion prevailed.

Senate bill No. 254, "An act to amend chapter 3, title 53, of 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed February 28, 1879, relating to insurance, by adding thereto an additional article to be numbered article 2972," was taken up, read second time and committee amendments adopted.

Senator Hightower offered the following amendments:

1. Amend article 2972 by inserting after the word "promised," in the eighth line, the following, viz: "In consideration of a premium or sum paid, or promised to be paid."

Adopted.

2. Add as follows:

Sec. 2. Whereas, the public interest demands the passage of this bill into a law at the present session of the Legislature, and the proximity of the day fixed for adjournment renders it uncertain whether there is time to pass it under the general rules governing legislative proceedings; therefore, an imperative public necessity exists for the suspension of the constitutional rule requiring this bill to be read on three several days, and said rule is suspended.

Adopted.

Senator Gooch offered the following amendment:

*Provided*, That the fact that an occupation tax is levied on or required of life insurance companies, and their agents shall not be held to require such tax of an agent who only examines and takes proof of the death of the insured person, and adjusts and pays the amount due on the policy to those entitled to it, nor to make criminal such acts when the tax is not paid.

Adopted, and bill ordered engrossed.

On motion of Senator Hightower, the rules were suspended to place the bill on the third reading by the following vote:

YEAS—21.

Buchanan of Wood,	Hightower,	Patton,
Burges,	Homan,	Powers,
Burton,	Houston,	Rainey,
Cooper,	Lair,	Ross,
Davenport,	Lightfoot,	Swain,
Gooch,	Martin of Navarro,	Terrell,
Harris,	Monre,	Weatherred.

NAYS—none.

NOT VOTING—1

Buchanan of Grimes,	Shannon,	Wynne.
Martin of Cooke,		

Read third time and passed.

Senator Ross moved to take up Senate bill No. 290, "An act to provide for the protection of the title of the State to the university lands lying in McLennan and Hill counties." Adopted by unanimous consent and the bill was taken up. Read second time and ordered engrossed.

A message was received from the House announcing the passage of House bill No. 607, "An act to diminish the civil jurisdiction of the County Court of Bosque and San Pa-

tricio counties, and to conform the jurisdiction of the district court of said counties to such change."

On motion of Senator Ross, the rules were suspended to place Senate bill No. 290 on the third reading by the following vote:

YEAS—21.		
Buchanan of Wood,	Hightower,	Powers,
Burges,	Homan,	Rainey,
Burton,	Lair,	Ross,
Cooper,	Lightfoot,	Swain,
Davenport,	Martin of Navarro,	Terrell,
Gooch,	Moore,	Weatherred,
Harris,	Patton,	Wynne.

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes	Martin, of Cooke,	Shannon.
Houston,		

Bill read third time and passed by the following vote:

YEAS—21.		
Burges,	Lair,	Rainey,
Cooper,	Lightfoot,	Ross,
Davenport,	Martin of Cooke,	Shannon,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Terrell,
Hightower,	Patton,	Weatherred,
Homan,	Powers,	Wynne.

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes	Burton,	Houston.
Buchanan of Wood,		

The following message was received from the Governor:

THE STATE OF TEXAS, EXECUTIVE OFFICE, }  
March 22, 1881. }

To the Honorable Senate of the State of Texas:

I herewith respectfully submit to your honorable body the additional name to the list of notaries for Dallas county: C. B. Welborn, to succeed himself instead of being succeeded by R. S. Guy, who I desire shall succeed R. W. Goldthwaite. Also, P. G. Peters, new appointment for Taylor county.

James Manning, new appointment for Nolan county.

John R. Hayter, new appointment for El Paso county.

Joseph Spence, Jr., new appointment for Tom Green county.

Thomas Williams to succeed himself, Hill county.

J. W. Stone, new appointment, Washington county.

Respectfully submitted,

O. M. ROBERTS, Governor.

Senator Davenport moved that the Senate go into executive session on the appointment of notaries public in the message just read, to-morrow morning just after the morning call. Adopted.

House bill No. 427, "An act to provide for designating and setting apart 300 leagues of land out of the unappropriated public domain for the benefit of the unorganized counties of the State, and to provide for the survey and location of the same," was taken up and read third time.

Senator Homan offered the following amendments:

1. Amend section 1 by inserting after the figures "1879," in line 17, the following: "which shall constitute a reservation out of which each of the unorganized counties of this State, as it may be organized, shall be entitled to four leagues of land for free school purposes."

Adopted by the following vote:

YEAS—24.		
Buchanan of Wood,	Homan,	Powers,
Burges,	Houston,	Rainey,
Burton,	Lair,	Ross,
Cooper,	Lightfoot,	Shannon,
Davenport,	Martin of Cooke,	Swain,
Gooch,	Martin of Navarro,	Terrell,
Harris,	Moore,	Weatherred,
Hightower,	Patton,	Wynne.

NAYS—none.

NOT VOTING.

Buchanan of Grimes.

2. In section 7, strike out all after the word "each," in line 10, down to and including the word "counties," in line 16, and insert "of the unorganized counties of this State shall be organized, such

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counties shall be entitled to the first four leagues of land out of the reservation authorized by this act, which shall not have been patented to other counties, for free school purposes."

Adopted by the following vote:

YEAS—23.		
Buchanan of Wood,	Homan,	Rainey,
Burges,	Houston,	Ross,
Burton,	Lair,	Shannon,
Cooper,	Lightfoot,	Swain,
Davenport,	Martin of Cooke,	Terrell,
Gooch,	Moore,	Weatherred,
Harris,	Patton,	Wynne.
Hightower,	Powers,	

NAYS—none.

NOT VOTING—2.

Buchanan of Grimes	Martin of Navarro.
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Senator Terrell offered the following amendment: Add to section 3 the following:

Provided, that in no event shall a greater sum be received for surveying than was paid pro rata for surveying the Capitol land reservation.

Adopted by the following vote:

YEAS—24.		
Buchanan of Wood,	Houston,	Rainey,
Burges,	Lair,	Ross,
Cooper,	Lightfoot,	Shannon,
Davenport,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Terrell,
Hightower,	Patton,	Weatherred,
Homan,	Powers,	Wynne.

NAYS—none.

NOT VOTING—2.

Buchanan of Grimes	Burton.
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Bill passed by the following vote:

YEAS—25.		
Buchanan of Wood,	Houston,	Rainey,
Burges,	Lair,	Ross,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Stubbs,
Davenport,	Martin of Navarro,	Swain,
Gooch,	Moore,	Terrell,
Harris,	Patton,	Weatherred,
Hightower,	Powers,	Wynne.
Homan,		

NAYS—none.

NOT VOTING.

Buchanan of Grimes.

On motion of Senator Lair, Senate bill No. 292, "An act to provide for the investment of the sinking fund set aside for the payment of the principal of subsidy bonds, issue by counties, cities and towns, to aid in the construction of railroads," was taken up by unanimous consent.

On motion of Senator Lair, the rules were suspended and the bill placed on its second reading by the following vote:

YEAS—22.		
Buchanan of Wood,	Lair,	Rainey,
Burton,	Lightfoot,	Ross,
Cooper,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Terrell,
Hightower,	Patton,	Weatherred,
Homan,	Powers,	Wynne.
Houston,		

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes	Davenport,	Shannon.
Burges,		

Bill read second time and ordered engrossed.

On motion of Senator Lair, the rules were suspended and the bill placed on its third reading by the following vote:

YEAS—22.		
Buchanan of Wood,	Gooch,	Homan,
Burton,	Harris,	Houston,
Cooper,	Hightower,	Lair,

Lightfoot,  
Martin of Cooke,  
Martin of Navarro,  
Moore,  
Patton,

Powers,  
Rainey,  
Ross,  
Stubbs,

Swain,  
Terrell,  
Weatherred,  
Wynne.

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes  
Burgess,

Davenport,

Shannon.

Bill read third time and passed by the following vote:

YEAS—22.

Buchanan of Wood,  
Burton,  
Cooper,  
Gooch,  
Harris,  
Hightower,  
Homan,  
Houston,

Lair,  
Lightfoot,  
Martin of Cooke,  
Martin of Navarro,  
Moore,  
Patton,  
Powers,  
Rainey,

Ross,  
Stewart,  
Stubbs,  
Swain,  
Terrell,  
Tilson,  
Weatherred,  
Wynne.

NAYS—none.

ABSENT, NOT VOTING—7.

Buchanan of Grimes,  
Burgess,

Davenport,

Shannon.

Senator Terrell, chairman of Judiciary Committee No. 1, by leave, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 294, have considered the same, and instruct me to report the same back and recommend its passage. The bill is intended to give immediate effect to the act passed at the present session, granting 1280 acres of land to soldiers of the Texas revolution.

TERRELL, Chairman.

Bill read first time.

On motion of Senator Houston, Senate joint resolution No. 27, "proposing to amend section 24, article 3, of the Constitution of the State of Texas," with House amendments, was taken up, and amendments concurred in.

Senate bill No. 169, "An act to amend an act entitled 'an act of forcible entry and detainer,' passed August 17, 1876," was taken up, read third time, and passed.

Senate bill No. 170, "An act to amend an act entitled 'Landlord and Tenant,' adopted February 21, 1879," was taken up, read third time, and, on motion of Senator Homan, laid on the table subject to call.

The President referred House joint resolution No. 15, reported yesterday from the House, to Committee on Military Affairs, and Senate bill No. 319, also reported yesterday from the House, to Committee on Finance.

Senate bill No. 186, "An act to amend article 1420, chapter 20, title 29, of the Revised Civil Statutes of the State of Texas, relating to official fees," was taken up.

Senator Houston offered the following amendment:

The near approach of the close of the present session of the Legislature creates (in the opinion of the Legislature) a public necessity sufficiently imperative in its character to justify the suspension of the constitutional rule requiring this act to be read on three several days; and it is so suspended.

Adopted, and the Senate refused to engross the bill by the following vote:

YEAS—4.

Cooper,  
Powers,

Stubbs,

Terrell.

NAYS—20.

Buchanan of Wood,  
Burgess,  
Burton,  
Davenport,  
Gooch,  
Harris,  
Hightower,

Homan,  
Houston,  
Lair,  
Lightfoot,  
Martin of Cooke,  
Martin of Navarro,  
Moore,

Patton,  
Rainey,  
Shannon,  
Swain,  
Weatherred,  
Wynne.

NOT VOTING—2.

Buchanan of Grimes Ross.

A message was received from the House announcing

passage by that body of Senate bill No. 286, "An act to amend chapters 5 and 11 of title 17 of the Revised Civil Statutes of the State, relating to cities and towns, and towns and villages, so as to authorize the levy of a tax for the support of public free schools under certain circumstances," with amendments.

And substitute for Senate bill No. 102, "An act making an appropriation for the support of the State government for the years beginning March 1, 1881, and ending February 28, 1883," with amendments.

On motion of Senator Terrell, substitute for Senate bill No. 102, just reported by the House, was taken up and House amendments disagreed to.

Senate bill No. 189, entitled "An act to amend chapter 5, title 22, of the Revised Civil Statutes of the State of Texas, adopted at the regular session of the Sixteenth Legislature, by adding article 694a," was taken up and read second time with substitute by the committee.

Senator Houston offered the following amendment to committee substitute:

The near approach of the close of the present session of the Legislature creates, in the opinion of the Legislature, a public necessity sufficiently imperative in its character to justify the suspension of the constitutional rule requiring this act to be read on three several days, and it is so suspended.

Adopted.

The substitute of the committee was adopted as amended, and ordered engrossed.

Senator Davenport moved to suspend the rules and put the bill on its third reading. Adopted by the following vote:

YEAS—22.

Buchanan of Wood,  
Burgess,  
Burton,  
Cooper,  
Davenport,  
Gooch,  
Harris,  
Hightower,

Homan,  
Houston,  
Lair,  
Lightfoot,  
Martin of Navarro,  
Moore,  
Patton,

Powers,  
Rainey,  
Shannon,  
Stubbs,  
Terrell,  
Weatherred,  
Wynne.

NAYS—none.

NOT VOTING—4.

Buchanan of Grimes,  
Martin of Cooke,

Ross,

Swain.

Bill read third time and passed.

Senator Gooch moved to take up Senate bill No. 286, entitled "An act to amend chapters 5 and 11, of title 17, of the Revised Civil Statutes of the State, relating to charters of cities and towns, and towns and villages, so as to authorize the levy of a tax for the support of the public free schools under certain circumstances," reported from the House this morning with House amendments. Unanimously adopted and bill taken up, and, on motion of Senator Gooch, the Senate concurred in said amendments by the House.

Senate bill No. 191, entitled "An act to amend 'an act prescribing the times of holding the district courts of the First Judicial District, and regulating the return of process therein,'" was taken up, and, on motion of Senator Cooper, was laid on the table, subject to call.

Senator Patton, chairman of the Committee on State Affairs, by leave, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your committee on State Affairs have considered House joint resolution No. 44, granting to Hon. W. S. Moore permission to absent himself from Lamar county during July and August, 1881, and they direct me to return the same to the Senate with the recommendation that it do pass.

PATTON, Chairman.

Resolution read first time.

Senator Lightfoot moved to take up the Senate joint



resolution (No. 44), just reported from the committee. Unanimously adopted.

Senator Lightfoot moved that the constitutional rule be suspended, and the joint resolution be put upon its second reading. Adopted by the following vote:

## YEAS—22.

Buchanan of Wood,	Houston,	Powers,
Burges,	Lair,	Ross,
Cooper,	Lightfoot,	Shannon,
Davenport,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Terrell,
Harris,	Moore,	Weatherred,
Hightower,	Patton,	Wynne.
Homan,		

## NAYS—none

## NOT VOTING—4.

Buchanan of Grimes	Rainey,	Swain.
Burton,		

Joint resolution read second time.

Senator Houston offered the following amendment:

The near approach of the adjournment of the Legislature creates, in the opinion of the Legislature, an emergency sufficiently imperative in its character to justify the suspension of the constitutional rule, requiring this act to be read on three several days, and it is so suspended.

Adopted and resolution ordered engrossed.

Senator Lightfoot moved to suspend the rules and put the joint resolution on its third reading. Carried by the following vote:

## YEAS—22.

Buchanan of Wood,	Houston.	Rainey,
Burges,	Lair,	Ross,
Burton,	Lightfoot,	Stubbs,
Cooper,	Martin, of Navarro,	Swain,
Gooch,	Moore,	Terrell,
Harris,	Patton,	Weatherred,
Hightower,	Powers,	Wynne.
Homan,		

## NAYS—none.

## NOT VOTING—4.

Buchanan of Grimes	Martin of Cooke.	Shannon.
Davenport,		

Joint resolution read third time and passed.

Senator Stubbs, for the Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined and find correctly engrossed the following Senate bills: Senate bill No. 248, "An act to amend the charter of the city of Dallas;" No. 281, "An act to authorize the issuance of a certificate to the heirs of Anson Jones, deceased, of a certificate for 13 labors of land;" No. 282, "An act to amend article 168 of the Revised Civil Statutes of the State of Texas;" No. 205, "An act to ascertain the amount due for school house lands, and for building and rent of school houses thereon, prior to July 23, 1873, also the amount due school superintendents for services in the public free schools of the State from September 1, 1873, to the thirty-first day of August, 1876, and to provide for payment of same;" No. 285, "An act to amend article 3466, title 69, chapter 1, of the Revised Civil Statutes of the State of Texas, passed by the Sixteenth Legislature;" No. 183, "An act to provide for the making of post mortem examination of the bodies of dead persons in this State, by competent physician, when required, etc.;" No. 182, "An act to amend article 669, chapter 2, title 17, of Penal Code;" No. 176, "An act to authorize the counties of this State to take up their outstanding warrants, or evidences of debt, etc.;" No. 284, "An act to amend sections 1 and 2, chapter 35, of an act passed at the special session of the Sixteenth Legislature;" No. 177, "An act to repeal articles 4462, 4464 and 4466, of the Revised Civil Statutes."

STUBBS, for Committee.

Senate bill No. 193, entitled "An act to amend articles 554 and 561, of the Revised Civil Statutes, making them applicable to personal as well as real estate," was taken up with adverse report of committee.

On motion of Senator Stubbs, the report was adopted and the bill lost.

On motion of Senator Homan, the Senate adjourned until 3:30 P. M.

## AFTERNOON SESSION.

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

A message was received from the House announcing that it insists on its amendments to substitute for Senate bill No. 102, and that the Speaker has appointed Messrs. King, Daniels, Frymier, Smith of Titus, and Scott on free conference committee on the part of the House to consider disagreements on said bill.

Senator Terrell moved that a conference committee on the part of the Senate be appointed to confer with said House committee on said disagreement.

The President appointed Senators Terrell, Davenport, Martin of Navarro, Ross and Burges on said committee.

On motion of Senator Davenport, Senator Buchanan of Grimes was excused for three days.

Senator Stubbs presented a petition of the Galveston Oil Company, and of the Howard Oil Company, of Dallas and Houston, praying that no legislation be enacted restricting the just rights of railroads in transportation and in management of their lines. Referred to Committee on Internal Improvements.

Senator Stubbs, for Committee on Engrossed Bills, by leave, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have compared and report the following Senate bills correctly engrossed:

No. 293, "An act for holding a special term of the district court in the county of Freestone," etc.

No. 290, "An act to provide for the protection of the title of the State to the university lands in McLennan and Hill counties."

No. 179, "An act to amend articles 1090 and 1098 of the Code of Criminal Procedure."

STUBBS, for Committee.

On motion of Senator Terrell, the Senate adjourned till 9:30 A. M. to-morrow.

## SIXTY-SECOND DAY.

SENATE CHAMBER, }  
AUSTIN, March 24, 1881. }

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

Prayer by Rev. Mr. Brown, Chaplain of the House.

On motion of Senator Rainey, the reading of the journal of yesterday was dispensed with and the same adopted.

Senator Wynne, chairman of Committee on Privileges and Elections, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, March 23, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Privileges and Elections, to whom was referred House bill No. 320, "An act to provide for the mode and manner of conducting proceedings in cases of contested elections, and creating tribunals for that purpose, and to repeal articles 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752 and 1758, chapter 6, title 34, of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' adopted the twenty-first of February, 1879," have had the same under consideration, and instruct me to report it back to the Senate, with the recommendation that it do not pass, for the following reasons, to-wit: